GOVERNMENTOF ANDHRA PRADESH

ABSTRACT

Labour, Factories, Boilers & Insurance Medical Services Department - The Andhra Pradesh Shops and Establishments Act,1988 - Exempting to the Best Price Modern Wholesale, Walmart India Private Limited stores located at Visakhapatnam, Rajahmundry, Vijayawada, Guntur, Tirupati and Kurnool to open the Best Price Stores during 11 P.M. to 6 A.M to perform the loading and unloading of stocks/materials, receiving the stocks/ materials, Palatalization & display of stocks and night billing - Exemption from Section 15 of the A.P Shops and Establishments Act, 1988 for a period of One (1) years - Orders - Issued.

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LABOUR, FACTORIES, BOILERS & INSURANCE MEDICAL SERVICES (Lab.I) DEPARTMENT

G.O.Rt.No. 182 Dated: 29.02.2024

Read the following:-

1. From the Commissioner of Labour, A.P., Vijayawada, Lr. from Walmart India Pvt. Ltd., received Dt: 18.08.2023
2. Govt.Memo.No.2184891/Lab.I/A1/21, LFB &IMS (Lab.I) Deptt, Dated 30.01.2024
3. From the Commissioner of Labour, AP, Vijayawada, Lr.No.1/2198144/ 2023, Dt:30.01.2024

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ORDER:-

In the reference 1st read above, the Commissioner of Labour, AP has stated that the Management, M/s. Walmart India Pvt. Ltd., New Delhi has requested the Government to permit them to open the Best Price Stores during I1 P.M. to 6 A.M located at Six (6) places, i.e., Visakhapatnam, Rajahmundry, Vijayawada, Guntur, Tirupati and Kurnool to perform the loading and unloading of stocks/materials, receiving the stocks/ materials, Palatalization & display of stocks and night billing through the Walmart. Further stated that Walmart India private Limited is in wholesale cash & carry trading in the name and style of Best Price Modern Wholesale.

2. After careful examination, the Government have decided to permit the Management, Walmart India Pvt. Ltd. to open the Best Price Stores during 11 P.M. to 6 A.M located at six (6) places Visakhapatnam, Rajahmundry, Vijayawada, Guntur, Tirupati and Kurnool to perform the loading and unloading of stocks/materials, receiving the stocks/ materials, palletization & display of stocks and night billing through the Walmart under Section 15 of APSE Act, 1988 for a period of one year with effect from the date of issue of the notification in the A.P State Gazette, subject to the following conditions.

3. Accordingly, the following notification will be published in the Extraordinary issue of the Andhra Pradesh State Gazette dated: 29.02.2024:

**(P.T.O)**

NOTIFICATION

In exercise of the powers conferred under sub-section (4) of section 73 of the Andhra Pradesh Shops and Establishments Act, 1988 (Act No.20 of 1988), the Government of Andhra Pradesh hereby grants exemption to the Best Price Modern Wholesale, Walmart India Private Limited located at Six (6) places Visakhapatnam, Rajahmundry, Vijayawada, Guntur, Tirupathi and Kurnool to perform the loading and unloading of stocks/materials, receiving the stocks/ materials, Palatalization & display of stocks and night billing through the Walmart under Section 15 of APSE Act, 1988 for a period of One (1) year with effect from the date of issue of the notification in the Andhra Pradesh State Gazette subject to the following conditions namely:-

1. Retail enterprise is a "shop" as defined under section 2 (21) of the A.P. Shops and Establishments Act, 1988.
2. Retail enterprises shall be allowed to stay open every day of the year provided that the employees are given compensatory, compulsory weekly holiday on a preferential basis without any deduction of benefits, monetary and otherwise. List of such holidays for a month shall be placed on notice boards in advance.
3. Working hours of the employees shall be a maximum of 8 hours per day and not more than 48 hours in a week. Manpower deployment details shall be added to the application for registration by the employer, which is now online under the Integrated Registration Act, 2015.
4. Record of overtime shall be maintained in wages register separately in respect of the employees who worked beyond normal working hours and wages for overtime shall be paid to all eligible employees at twice the ordinary rate of wages.
5. The employees working on a national, festival or other holiday shall be given a compensatory holiday with wages at twice the ordinary rate of wages for work on a holiday. Compensatory holiday to such employees shall be given within thirty days from the date of holiday.
6. Retail enterprises shall be allowed to operate between 6 AM and 11 PM IST, provided employees work in a minimum of two shifts with a minimum of one hour changeover period, subject to the condition that the employer shall furnish the shift-wise employee details specifying weekly holiday for each of the employees.
7. Employment of women shall be permitted in all shifts, subject to the enterprises ensuring safe and secure working environment and secure conveyance from workplace to place of residence. The employer shall be solely responsible for ensuring the above till women employees reach respective place of residence.
8. Retail enterprises are allowed to offer part-time employment subject to the working hours for part time employees being expressly specified. Minimum per hour wage rate shall be proportionately determined in accordance with

**(Contd... P3)**

minimum monthly wage rate specified under Minimum Wages Act. Retail unit cannot engage more than 25% of its employees as part time employees. This would be subject to the enterprises strictly adhering to laws regarding child labour and other similar applicable laws.

9. Wages and any other remuneration of all employees shall be paid only by way of remittance in the bank account of the employee.

10. All employees will be provided with appointment letters and a copy shall be furnished on line, to the Inspector having jurisdiction.

11. EPF & ESI contributions of both employee as well as employer shall be remitted every month.

12. Retail enterprises are allowed to maintain record like wages register, muster roll in respect of the employees in electronic form which shall be accessible online to the inspector under the Act.

4. The exemption granted under para-(3) above of this order may be revoked at any time without prior notice or assigning any reason if warranted in public interest and safety.

5. The Commissioner of Labour, AP shall take further necessary action in the matter.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

**Dr. M. HARI JAWAHARLAL**
**SECRETARY TO GOVERNMENT**

To
The Commissioner of Printing and Stationery, A.P,Vijayawada.
The Commissioner of Labour, A.P., Vijayawada.
All Collectors, through Commissioner of Labour, Andhra Pradesh, Vijayawada.
The Special Chief Secretary to Government, Industries and Commerce Department, Velagapudi.
The Director, Industries and Commerce, Mangalagiri.
The Andhra Pradesh Chambers of Commerce & Industry, Chamber Road, Gandhi Nagar, Vijayawada. - 520003.

Copy to:
The Secretary to Government of India, Ministry of Labour & Employment, Shram Shakti Bhavan, New Delhi.
The OSD to the Hon'ble Minister (LFB & IMS), Government of Andhra Pradesh.
The P.S. to Secretary to Government, LFB & IMS Department, Government of Andhra Pradesh.
The Management, M/s. Walmart India Private Limited,
Regd. Office: E-20, 1st & 2nd Floor, Hauz Khas Main Market,New Delhi-110 016.
Sf/Sc.

//FORWARDED::BY ORDER//

G. Gurunadh
SECTION OFFICER